

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

IN RE GOOGLE INC. COOKIE  
PLACEMENT CONSUMER PRIVACY  
LITIGATION

Case No. 12-MD-2358 (JW)

This Document Relates to:  
**All Actions**

**STIPULATION AND ORDER**

It is hereby stipulated and agreed, between and among Plaintiffs and Defendant Google LLC, by and through their respective counsel, as follows:

1. WHEREAS, on December 19, 2012, Plaintiffs filed their Consolidated Class Action Complaint (“Complaint”) (D.I. 46);
2. WHEREAS, on June 20, 2016, the Parties filed a joint Stipulation and [Proposed] Order, permitting Plaintiffs leave to amend the Complaint to remove a deceased plaintiff and making other small changes (D.I. 161), which the Court approved on June 21, 2016 (D.I. 162);
3. WHEREAS, given the lengthy history of this litigation and the passage of time, Plaintiffs desire to substitute representative plaintiffs in this matter, to add one new representative plaintiff and to remove two current representative plaintiffs;
4. WHEREAS, Plaintiffs have not been deposed or produced substantive discovery in this action;
5. WHEREAS, the new representative plaintiff represents that he has preserved all relevant evidence since the filing of this action and agreed to adopt the responses to discovery

previously provided by the current representative plaintiffs, such that his substitution will not adversely impact discovery in this action;

6. WHEREAS, Google similarly represents that it has preserved all relevant evidence since the filing of this action and that Google will promptly produce all discovery that it previously agreed to produce in this litigation;

7. WHEREAS, the Court provided that any “motion to amend the Complaint and to join or add additional parties shall be filed on or before September 27, 2024,” (D.I. 240); and

8. WHEREAS, the parties agree that Plaintiffs should be permitted to substitute plaintiffs and to file their Second Amended Consolidated Class Action Complaint, a copy of which is attached hereto as **Exhibit A**, in order to effectuate such substitution.

THEREFORE, IT IS STIPULATED AND AGREED by the undersigned parties, through their respective counsel of record, subject to approval by the Court, that:

1. Plaintiffs Lynne Krause and Nicholas Todd Heinrich are dismissed as class representatives from the above-captioned action;
2. Plaintiffs are granted leave to file their Second Amended Consolidated Class Action Complaint, a copy of which is attached hereto as **Exhibit A**.
3. Google is not required to answer this amended complaint under Fed. R. Civ. P. 15, and Google’s Answer filed March 2, 2016 (D.I. 154) shall be deemed to be Google’s Answer to the proposed amended complaint attached as Exhibit A.
4. Google’s agreement to this stipulation shall not be construed as, nor shall Plaintiffs contend that it is, an admission by Google that any allegations are true or that any allegations in the amended complaint survive the Third Circuit’s 2015 decision in this action.

IT IS SO STIPULATED.

Dated: September 27, 2024

Respectfully submitted,

**STRANGE LLP**

**MAYER BROWN**

*/s/ Brian R. Strange*

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*/s/ Tony Weibell*

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*Executive Committee Member*

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**BARTIMUS, FRICKLETON, and  
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*/s/ James P. Frickleton*

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*/s/ Stephen G. Grygiel*

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*Executive Committee Member*

**ORDER**

**SO ORDERED** on this 30th day of September, 2024.

/s/ Joshua D. Wolson

Hon. Joshua Wolson  
United States District Judge